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# IN THE COURT OF APPEALS OF INDIANA

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| MARCO A. CAMACHO, | ) | |
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| Appellant-Defendant, | ) | |
| | ) | |
| vs. | ) | No. 20A05-0510-CR-567 |
| | ) | |
| STATE OF INDIANA, | ) | |
| | ) | |
| Appellee-Plaintiff. | ) | |

APPEAL FROM THE ELKHART CIRCUIT COURT
The Honorable Terry Shewmaker, Judge
Cause No. 20C01-0404-FA-43

**January 10, 2007**

**MEMORANDUM DECISION - NOT FOR PUBLICATION**

**BAKER, Judge**

Appellant-defendant Marco A. Camacho appeals his conviction and sentence for Possession of Methamphetamine in Excess of Three Grams with Intent to Deliver,[1] a class A felony, and Possession of a Handgun with an Obliterated Serial Number,[2] a class C felony. Camacho presents five issues, which we restate as: (1) whether the trial court erred in admitting certain evidence because the search warrant was allegedly defective, (2) whether the trial court erred when it admitted evidence of additional handguns found during the search, (3) whether the trial court erred when it allowed a State's witness to testify because it determined that he was skilled, (4) whether there was sufficient evidence to sustain his conviction for possession of methamphetamine in excess of three grams with intent to deliver, and (5) whether the thirty-four year aggregate sentence was inappropriate. Finding no error, we affirm the judgment of the trial court.

## FACTS

Shortly before 3:00 a.m. on April 15, 2004, Heather VanVactor drove to a garage in Goshen that Camacho was renting from his sister and brother-in-law. Camacho got into the passenger seat of VanVactor's vehicle and they drove away. As VanVactor approached an intersection, Goshen City Police Officer Robert Warstler stopped the vehicle because he could not read the expiration date on VanVactor's temporary license plate. Officer Warstler asked VanVactor to exit the vehicle, and he summoned a canine unit to perform an exterior sniff for narcotics because Camacho and VanVactor were acting suspicious.

[1] Ind. Code § 35-48-4-1.

[2] Ind. Code § 35-47-2-18.

In an eyeglasses case on top of VanVactor's purse, the officers discovered a plastic baggie containing a substance similar in appearance to crushed ice. VanVactor told the officers that she had obtained the case from Camacho when he gave it to her to "give to one of his friends." Tr. p. 62. Inside VanVactor's purse, the officers discovered four clear plastic baggies—three containing a tan powdery residue and a fourth containing approximately two grams of a brownish powder. VanVactor told the officers that she saw a similar substance in Camacho's garage and that he had weighed the substances on a scale earlier in the evening. After identifying Camacho, Officer Warstler discovered that there was an outstanding warrant for his arrest in Elkhart County. Pursuant to the warrant, Officer Warstler arrested Camacho and searched his person, finding $880, a knife, keys, and a garage door opener.

Goshen City Police Lieutenant Shawn Turner obtained a search warrant for the garage that Camacho rented from his sister and brother-in-law. Lieutenant Turner and Evidence Technician Daniel Zollinger went to the garage, noticed surveillance cameras focused on the entryway, and entered the garage using the door opener that had been found on Camacho's person. The officers located and seized a FoodSaver machine, plastic bags for the machine, a child's backpack containing five guns—including a Glock Model 19 with an obliterated serial number—an electronic weighing scale, and plastic sandwich bags. Inside a garbage bag, the officers found a paper with mathematical figures and a map. On a shelf on the south wall of the garage, the officers found a brown bag that contained methamphetamine.

On April 21, 2004, the State charged Camacho with class A felony possession of methamphetamine in excess of three grams with intent to deliver and class C felony

possession of a handgun with an obliterated serial number. Camacho failed to appear for his jury trial, which was scheduled to begin on November 29, 2004. A warrant was issued for his arrest, he was tried in absentia, and the jury convicted him on both counts as charged. Camacho was arrested pursuant to the warrant on June 15, 2005.

Camacho appeared for the trial court's sentencing hearing on August 11, 2005. The trial court found four aggravating factors: Camacho's prior criminal history, his probation violation, the fact that he admitted "using drugs while on the run in this case," and his status as an illegal alien. Appellant's App. p. 14. The trial court found two mitigating factors: his twenty-one-year-old age and his acknowledgment of his drug addiction problem. After determining that the aggravators outweighed the mitigators, the trial court sentenced Camacho to thirty years imprisonment for the class A felony and four years imprisonment for the class C felony, ordering the sentences to run consecutively. Camacho now appeals.

## DISCUSSION AND DECISION

### I. Admission of Evidence

Camacho first challenges the trial court's admission of certain evidence found pursuant to an allegedly defective search warrant. Specifically, Camacho argues that the police requested the warrant based on unreliable information from VanVactor.

#### A. Standard of Review

Although Camacho originally challenged the admission of the evidence through a motion to suppress, he appeals following a completed trial and, therefore, challenges the admission of the evidence at trial. Miller v. State, 846 N.E.2d 1077, 1080 (Ind. Ct. App.

2006), trans. denied. The issue is appropriately framed as whether the trial court abused its discretion by admitting the evidence at trial. Id. An abuse of discretion occurs when the trial court makes a decision that is clearly against the logic and effect of the facts and circumstances before the court. Washington v. State, 784 N.E.2d 584, 587 (Ind. Ct. App. 2003). We will not reweigh the evidence and consider conflicting evidence most favorable to the trial court's ruling. Ackerman v. State, 774 N.E.2d 970, 974-75 (Ind. Ct. App. 2002). However, we must also consider uncontested evidence in a light most favorable to the defendant. Id.

Both the Fourth Amendment to the United States Constitution and Indiana Code section 35-33-5-1 require a search warrant to be supported by probable cause. Probable cause is "a fluid concept incapable of precise definition . . . [and] is to be decided based on the facts of each case." Creekmore v. State, 800 N.E.2d 230, 233-34 (Ind. Ct. App. 2003). "Probable cause to search premises is established when a sufficient basis of fact exists to permit a reasonably prudent person to believe that a search of those premises will uncover evidence of a crime." Esquerdo v. State, 640 N.E.2d 1023, 1029 (Ind. 1994). When deciding whether to issue a search warrant, the issuing judge's task is "simply to make a practical, commonsense decision whether, given all the circumstances set forth in the affidavit[,] . . . there is a fair probability that contraband or evidence of a crime will be found in a particular place." Creekmore, 800 N.E.2d at 234. If a defendant questions the validity of a search warrant, the trial court's duty is to determine whether a "substantial basis" existed to support the magistrate's finding of probable cause. Id. "Substantial basis requires

the reviewing court, with significant deference to the magistrate's determination, to focus on whether reasonable inferences drawn from the totality of the evidence support the determination of probable cause." Id. A presumption of validity of the search warrant exists, and the burden is upon the defendant to overturn that presumption. Allen v. State, 798 N.E.2d 490 (Ind. Ct. App. 2003).

Both the United States Supreme Court and the Indiana legislature have set forth requirements to ensure that the evidence used to support a probable cause finding is reliable. Lloyd v. State, 677 N.E.2d 71, 73 (Ind. Ct. App. 1997). Our Supreme Court has held that uncorroborated hearsay from a source whose credibility is unknown cannot, standing alone, support a finding of probable cause to issue a search warrant. Jaggers v. State, 687 N.E.2d 180, 182 (Ind. 1997). The hearsay must exhibit some "hallmarks of reliability." Id. Reliability can be established a number of ways including, but not limited to, the informant previously giving correct information, an independent police investigation corroborating the informant's statements, the informant showing some basis for his knowledge, or the informant predicting conduct or activities by the suspect that are not ordinarily easily predicted. Id.

B. VanVactor's Reliability

After Camacho was arrested and transported to the Goshen Police Department, VanVactor began talking with Captain Warstler and admitted that the methamphetamine found in the purse was hers and that she had obtained it from Camacho for her personal use. She told Captain Warstler that the eyeglasses case belonged to Camacho and that she had

observed a "large quantity of purported Methamphetamine at a garage [that] . . . Camacho was renting . . . from his relatives." Def. Exh. A. VanVactor described the garage and its location and told Captain Warstler that she had been at the garage "approximately 10 times in the past." Id. VanVactor informed Captain Warstler that she had been inside the garage with Camacho that night and that Camacho had "placed the bag on his weighing scales" before giving the methamphetamine to VanVactor for her own use. Id.

The trial court found that VanVactor's statements to the police were against her own penal interest and, therefore, were reliable. Tr. p. 109-110. Camacho argues that VanVactor's statements were unreliable because she "had motivation to help herself [by implicating Camacho]" and that she was "never charged with [methamphetamine possession]." Appellant's Br. p. 10. However, "[d]eclarations against penal interest can furnish a sufficient basis for establishing the credibility of an informant . . . ." Houser v. State, 678 N.E.2d 95, 100 (Ind. 1997). And "[t]he fact that [the informant] may have been offered a 'break' for providing this information is insufficient to undermine his credibility for the purpose of concluding that probable cause existed to search . . . . " Iddings v. State, 772 N.E.2d 1006, 1014 (Ind. Ct. App. 2002).

Moreover, VanVactor had previously given reliable information to the police. The probable cause affidavit states:

> Captain Warstler[,]while talking with Heather[VanVactor,] learned that she had assisted the police in the past. Heather told Captain Warstler that she supplied information to Detective Rex Gilliland of the Marshall County Sheriff's Department. Detective Gilliland was called and he arrived at the Goshen Police Department. He confirmed that Heather had supplied accurate information in the month of January 2004. The information was in regards to a

> stolen bass boat. He was able to confirm that her information was accurate and reliable through his own independent investigation.

Def. Ex. A. Our Supreme Court has listed "the informant [providing] correct information in the past" as one of the "hallmark[s] of reliability" for information. Jaggers, 687 N.E.2d at 182. Here, the officers confirmed the reliability of VanVactor's previous information before relying on her new information implicating Camacho.

Finally, VanVactor provided the police with information that she gained from her personal dealings with Camacho. When informing the police, she described the garage and its location and told them that Camacho "was renting the garage from his relatives." Def. Exh. A. These facts, later confirmed by the police, would not have been known to someone that did not have personal knowledge of Camacho and his activities. VanVactor's intimate knowledge of Camacho's activities—specifically, that he rented the garage from his relatives—made her statement reliable. See Houser, 687 N.E.2d at 100 (holding that an informant's information that contained details that only could be known to someone personally involved with the crime was reliable and sufficient to serve as the basis for the issuance of a search warrant).

Considering the totality of the circumstances, we find that the trial court did not abuse its discretion when it concluded that VanVactor was a reliable informant—her statements were against her penal interest, she had previously provided reliable information to the police, and she had personal knowledge of Camacho and the garage. Therefore, the trial court did not abuse its discretion by admitting the items at trial that were found in the search.

## II. Evidence of Additional Weapons

Camacho challenges the trial court's decision to admit evidence of the firearms that were seized from the garage. While Camacho does not challenge the admissibility of the handgun with the obliterated serial number, he does argue that the trial court's decision to admit evidence of the other firearms was erroneous because the firearms did not prove his intent to deliver drugs.

As noted above, admission of evidence is within the sound discretion of the trial court. Miller, 846 N.E.2d at 1080. Here, the trial court admitted the evidence of the other firearms found in the garage and instructed the jury, "this is offered for the limited purpose of dealing with one issue and one issue only and that is the issue of intent to deliver any controlled substances." Tr. p. 124 (emphasis added). Intent, being a mental state, can only be established by considering the behavior of the relevant actor, the surrounding circumstances, and the reasonable inferences to be drawn from them. Davis v. State, 791 N.E.2d 266, 270 (Ind. Ct. App. 2003). Both this court and our Supreme Court have held that a combination of large quantities of drugs, high amounts of cash, packaging paraphernalia, weighing scales, and firearms are sufficient to support a defendant's conviction for possession of a drug with intent to deal. See, e.g., Hazzard v. State, 642 N.E.2d 1368, 1370 (Ind. 1994); O'Neal v. State, 716 N.E.2d 82, 90 (Ind. Ct. App. 1999); McGuire v. State, 613 N.E.2d 861, 864 (Ind. Ct. App. 1993). As the Seventh Circuit Court of Appeals has stated, "firearms are often tools of the narcotics trade." United States v. Gray, 410 F.3d 338, 345 (7th Cir. 2005). Therefore, the trial court did not abuse its discretion when it admitted the additional firearms because those firearms were admitted "for the limited purpose of dealing

with . . . the issue of intent to deliver any controlled substances." Tr. p. 124. The trial court properly instructed the jury on the limited purpose of the evidence; therefore, we cannot conclude that the trial court abused its discretion.[3]

III. State's Skilled Witness

Camacho argues that the trial court erred when it allowed William Wargo, the Chief Investigator for the Elkhart County Prosecutor's Office and a witness for the State, to testify as a skilled witness. A "skilled" witness is defined as "a person with a degree of knowledge short of that sufficient to be declared an expert under Indiana Rule of Evidence 702, but somewhat beyond that possessed by the ordinary jurors." Davis, 791 N.E.2d at 268. We have previously held that skilled witnesses may testify to opinions that are rationally based on their perceptions and helpful to a clear understanding of the witness's testimony or the determination of a fact at issue. Prewitt v. State, 819 N.E.2d 393, 413 (Ind. Ct. App. 2004), trans. denied.

At issue in this case was Camacho's intent to distribute methamphetamine. As noted above, intent can only be established by considering the behavior of the relevant actor, the surrounding circumstances, and the reasonable inferences to be drawn therefrom. Davis, 791 N.E.2d at 270. Some of the characteristics reflected in a defendant's intent to deal drugs are outside the purview of an ordinary juror. See id. at 269 (court held that it was proper for a police officer to testify as a skilled witness regarding his opinions, inferences, and the distinct

[3] Camacho attempts to argue that even it the firearms were properly admitted to show his intent, they should not have been admitted under Rule of Evidence 403 because their impact was more prejudicial than probative and "provided an unfair picture of Camacho in the jury's minds." Appellant's Br. p. 11. Aside from that

characteristics between a drug dealer and a drug user, including the typical items found in a search of each).

At the time of trial, Chief Investigator Wargo had held his position with the Elkhart County Prosecutor's office for almost two years—a position that he was elevated to after holding various law enforcement positions since 1969. Tr. p. 199. During his three decades in law enforcement, Chief Investigator Wargo "attended and successfully completed [numerous] narcotics investigations seminars" and was appointed as the supervisor of the Elkhart County Drug Task Force in 1987. Id. at 200-203. Since his current appointment in 2003, he has been involved in "every drug arrest report in Elkhart County." Id. at 211.

At trial, the State proffered the testimony of Chief Investigator Wargo to speak from his investigative experience and describe the items seized from Camacho's garage. Specifically, he testified regarding the characteristics of each piece of evidence and whether the items were typical of a methamphetamine-dealing operation. Id. at 211-41. However, Chief Investigator Wargo did not testify regarding his personal opinion about Camacho's intent to deal methamphetamine. In light of Chief Investigator Wargo's extensive experience with drug crime investigations and the nature of this case, we cannot conclude that the trial court abused its discretion by admitting his testimony as a skilled witness. Davis, 791 N.E.2d at 269 (court held that officer was a skilled witness and his testimony "was helpful to determine the intent element of the charge for possession of cocaine with intent to deliver"

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sentence, Camacho does not cogently argue how the admission of the firearms was prejudicial, and we decline to develop an argument for him.

and the trial court did not abuse its discretion by admitting such testimony).

IV. Sufficiency of Evidence Establishing Camacho's Intent to Deliver

Camacho argues that there was insufficient evidence to sustain his conviction for possession of methamphetamine in excess of three grams with intent to deliver. Specifically, Camacho argues that the evidence presented at trial did not establish the intent element necessary for a conviction.

The standard of review for sufficiency claims is well settled. In addressing Camacho's challenge we neither reweigh the evidence nor reassess the credibility of witnesses. Sanders v. State, 704 N.E.2d 119, 123 (Ind. 1999). Instead, we consider the evidence most favorable to the verdict and draw all reasonable inferences supporting the ruling below. Id. We affirm the conviction if there is probative evidence from which a reasonable trier of fact could find the defendant guilty beyond a reasonable doubt. O'Connell v. State, 742 N.E.2d 943, 949 (Ind. 2001). A conviction may be sustained wholly on circumstantial evidence if such evidence supports a reasonable inference of guilt. Maul v. State, 731 N.E.2d 438, 439 (Ind. 2000).

To convict Camacho for class A felony possession of methamphetamine in excess of three grams with intent to deliver, the State was required to prove beyond a reasonable doubt that he possessed methamphetamine in an amount greater than three grams with intent to deliver. I.C. § 35-48-4-1(a)(2)(C), (b)(1). We initially note that in challenges to the sufficiency of evidence for drug dealing, circumstantial evidence showing possession with intent to deliver may support a conviction. Davis, 791 N.E.2d at 270. Evidence of the illegal

possession of a relatively large quantity of drugs is sufficient to sustain a conviction for possession with intent to deliver. Hazzard v. State, 642 N.E.2d 1368, 1369 (Ind. 1994). The more narcotics a person possesses, the stronger the inference that he intended to deliver the narcotics and not personally consume them. Love v. State, 741 N.E.2d 789, 792 (Ind. Ct. App. 2001).

With regard to this offense, the evidence presented at trial demonstrated that Camacho had $880 and a knife in his pocket when he was arrested, his companion possessed methamphetamine that Camacho had given her for her personal use, and a police search of the rented garage revealed 26.18 grams of methamphetamine, 78.41 grams of amphetamine, a FoodSaver machine, plastic bags, surveillance cameras, five firearms, a ledger, an electronic weighing scale, and baggies with methamphetamine residue on them. Tr. p. 34, 36-37, 39, 114-31, 180-82, 194. Additionally, no paraphernalia to ingest methamphetamine was found on Camacho or in the garage. See O'Neal v. State, 716 N.E.2d 82, 90 (Ind. Ct. App. 1999) (holding that a defendant's lack of paraphernalia to consume the narcotics is a factor in determining intent to deal). Hence, the jury could reasonably conclude that ample evidence was presented of Camacho's possession of methamphetamine in excess of three grams with intent to deliver. Camacho's argument on appeal is merely an invitation for us to reweigh the evidence—an invitation that we decline.

## V. Sentencing

Camacho argues that his thirty-four year aggregate sentence is inappropriate in light of the nature of the offense and his character. Specifically, Camacho challenges the trial court's

finding of his criminal history as an aggravating factor and its decision to run his two sentences consecutively.

The advisory sentence[4] for a class A felony is thirty years and the advisory sentence for a class C felony is four years. Ind. Code §§ 35-50-2-4, -6. Camacho was sentenced to the advisory sentence on both convictions, with the sentences to run consecutively because of the four aggravating factors that the trial court found: Camacho's prior criminal history, his probation violation, the fact that he admitted "using drugs while on the run in this case," and his status as an illegal alien. Appellant's App. p. 14. The trial court also found two mitigating factors: his twenty-one-year-old age and his acknowledgment of his drug addiction problem. Id.

Of the aggravating factors that the trial court found, Camacho only challenges the finding that his prior criminal history was aggravating. A criminal record in and of itself is

[4] Indiana's sentencing scheme was amended effective April 25, 2005, to incorporate advisory sentences rather than presumptive sentences and comply with the holdings in Blakely v. Washington, 542 U.S. 296 (2004), and Smylie v. State, 823 N.E.2d 679 (Ind. 2005). See Ind. Code §§ 35-38-1-7.1, 35-50-2-1.3. Camacho committed his criminal offense before this statute took effect but was sentenced after the effective date. Under these circumstances, there is a split on this court as to whether the advisory or presumptive sentencing scheme applies. Compare Walsman v. State, 855 N.E.2d 645, 649-52 (Ind. Ct. App. 2006) (sentencing statute in effect at the time of the offense, rather than at the time of the conviction or sentencing, controls) with Samaniego-Hernandez v. State, 839 N.E.2d 798, 805 (Ind. Ct. App. 2005) (concluding that change from presumptive sentences to advisory sentences is procedural rather than substantive and, therefore, application of the advisory sentencing scheme is proper when defendant is sentenced after effective date of amendment even though he committed the crime prior to the amendment date).

While our Supreme Court has not explicitly ruled which sentencing scheme applies in these situations, a recent decision seems to indicate the date of sentencing to be critical. Prickett v. State, 856 N.E.2d 1203 (Ind. 2006). The defendant in Prickett committed the crimes and was sentenced before the amendment date. In a footnote, our Supreme Court stated that "[w]e apply the version of the statute in effect at the time of Prickett's sentence and thus refer to his 'presumptive' sentence, rather than an 'advisory' sentence." Id. at *3 n.3 (emphasis added). Therefore, since Camacho was sentenced on August 11, 2005—approximately 4 months after the effective date of the amended statute—we will apply the amended statute and refer to Camacho's "advisory" sentence.

sufficient to support an enhanced sentence. Bradley v. State, 765 N.E.2d 204, 209 (Ind. Ct. App. 2002). The significance of the defendant's criminal history varies based on the gravity, nature, and number of prior offenses as they relate to the current offense. Cotto v. State, 829 N.E.2d 520, 526 (Ind. 2005). Only one valid aggravating circumstance is required to impose consecutive sentences. Jones v. State, 705 N.E.2d 452, 455 (Ind. 1999).

Camacho's prior contact with the legal system was in 2002 when he was charged with class D felony cocaine possession and pleaded guilty to class A misdemeanor resisting law enforcement. While we acknowledge that Camacho's criminal history is minimal, his prior conviction stems from a drug offense, which is related to his current offense. And it appears that Camacho's contact with the legal system did nothing to break his harmful relationship with narcotics; he advanced from possessing them for personal use to intending to deal them, a behavior that harms society as a whole. Therefore, because of the relationship between Camacho's prior offense and his current conviction, we cannot say that it was error for the trial court to label his prior criminal history as an aggravating factor. His argument regarding the minimal nature of his criminal history goes more to the weight of the aggravating factor, not its label as such.

Moreover, while Camacho does not directly challenge on appeal the other aggravating factors that the trial court found, prior decisions from our court and our Supreme Court support the trial court's finding that Camacho's probation violation and illegal alien status were aggravating factors. See Ryle v. State, 842 N.E.2d 320, 323 n.5 (Ind. 2005) (holding that "[p]robation stands on its own as an aggravator. While a criminal history aggravates a

subsequent crime because of recidivism, probation further aggravates a subsequent crime because the defendant was still serving a court-imposed sentence"); Samaniego-Hernandez v. State, 839 N.E.2d 798, 806 (Ind. Ct. App. 2005) (holding that "being an illegal alien is itself more properly viewed as an aggravator than as a mitigator . . . . [I]n sentencing a criminal defendant, court cannot treat [an illegal alien] more harshly than any other citizen . . . but that does not mean that court must close its eyes to defendant's illegal alien status and disregard for the law, including immigration laws).

Camacho also argues that the trial court should have considered his three-year employment history as a mitigating factor. The finding of mitigating circumstances rests within the trial court's discretion and the trial court is not required to accord the same weight to a mitigating circumstance as the defendant would. Moyer v. State, 796 N.E.2d 309, 313 (Ind. Ct. App. 2003). The allegation that the trial court failed to find a mitigating circumstance requires a defendant to establish that the mitigating evidence is both significant and clearly supported by the record. Plummer v. State, 851 N.E.2d 387, 391 (Ind. Ct. App. 2006). Here, Camacho has not satisfied his burden that his employment history is both significant and clearly supported by the record, as he merely states in his brief that "[h]e had been employed at the same location for over three (3) years" and does not develop the argument further. Appellant's Br. p. 14.

As for Camacho's challenge to the appropriateness of his sentence, our court has the constitutional authority to revise a sentence if, after due consideration of the trial court's decision, we find that the sentence is "inappropriate in light of the nature of the offense and

the character of the offender." Ind. Appellate Rule 7(B). However, sentence review under Appellate Rule 7(B) is very deferential to the trial court's decision, Martin v. State, 784 N.E.2d 997, 1013 (Ind. Ct. App. 2003), and we refrain from merely substituting our judgment for that of the trial court, Foster v. State, 795 N.E.2d 1078, 1092 (Ind. Ct. App. 2003). The burden is on the defendant to persuade us that his sentence is inappropriate. Childress v. State, 848 N.E.2d 1073, 1080 (Ind. 2006).

Camacho's offense shows that he maintained a methamphetamine-manufacturing garage that included packaging equipment, surveillance cameras, and multiple firearms hidden in a child's backpack. Additionally, the garage was located behind the house where his sister and her five young children resided. Tr. p. 78. In our view, the nature of this offense does not warrant a reduced sentence.

As for Camacho's character, the record shows that he had a prior arrest for a drug-related offense and he showed a continued disregard for the law by maintaining his status as an illegal alien. Moreover, the fact that he maintained the methamphetamine-manufacturing garage directly behind his sister's home where her five children resided shows his disregard for the welfare of others, including members of his own family. Regardless of his acceptance of responsibility at sentencing, we cannot say that the trial court's decision to sentence Camacho to the advisory sentence for both crimes and run the sentences consecutively for an aggregate term of thirty-four years was inappropriate in light of the nature of his offense and his character.

The judgment of the trial court is affirmed.

DARDEN, J., and ROBB, J., concur.